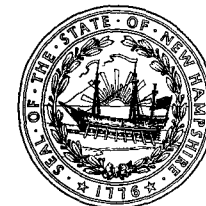




The State of New Hampshire
Department of Environmental Services



Michael P. Nolin
Commissioner

Mr. Sajal Patel
The Mount Washington Valley Inn
PO Box 3180
North Conway, New Hampshire 03860

LETTER OF DEFICIENCY
WMB PBF 05-04
February 10, 2005

Dear Mr. Patel:

The Department of Environmental Services, Water Division ("DES") is required by RSA 485-A:26 to operate a program to ensure the health and safety of the public when using public bathing facilities such as pools and spas. To implement this program, DES has adopted administrative rules Env-Ws 1101-1105 to specify the design, operation, and maintenance requirements for public bathing facilities. DES reviews applications for new public bathing facilities and also inspects and tests the water in existing public bathing facilities to ensure that applicable requirements are being met.

On February 1, 2005, DES inspected the following public bathing facilities at the The Mount Washington Valley Inn in Conway, NH: the indoor pool ("Indoor Pool") and spa ("Spa") and the outdoor pool ("Outdoor Pool").

During this inspection, the following deficiencies were noted:

1. Env-Ws 1103.15(c) requires a free residual chlorine concentration between 1.0 mg/L and 3.0 mg/L in public pool water. The free chlorine residual of the Indoor Pool water was between 0.28 mg/L and 0.56 mg/L on February 1, 2005.
2. Env-Ws 1103.16(e) requires a bromine concentration between 2.0 mg/L and 5.0 mg/L in public spa water, with an absolute maximum of 10 mg/L bromine. The bromine concentration of the Spa water was approximately 1.08 mg/L on February 1, 2005.
3. Env-Ws 1103.16(f) requires a pH between 7.0 and 7.8 in public spa water. The pH of the Spa water was 8.2 on February 1, 2005.
4. Pursuant to Env-Ws 1103.16(h), spa water temperature shall not exceed 104°F. The temperature of the Spa water was 106°F on February 1, 2005.
5. Env-Ws 1104.04(a) requires the following safety devices to be present at all public pools: (1) a light, strong pole not less than 12 feet long, including a body hook, and (2) a minimum one-fourth inch diameter throwing rope as long as one and one-half times the maximum width of the pool or 50 feet, whichever is less, to which has been firmly attached a ring buoy with an outside diameter of approximately 15 inches or a similar flotation device. The ring buoy did not have a rope attached at the time of inspection.
6. Env-Ws 1105.01(j) requires a rope with attached floats a ("breakpoint safety line") to be placed across public pools over the break in depth between the shallow and deep portions of the pool. A breakpoint safety line was not present in the Pool at the time of the inspection.
7. Env-Ws 1104.03(e)(1) states that the depth of water in feet shall be plainly and conspicuously marked at or above the water line on the vertical pool wall and on the top of the coping or edge of the deck or walk next to the pool. The depth of the Pool was not marked on the vertical wall of the Pool.
8. Env-Ws 1105.01(k)(19) requires pool filtration systems to include a flow meter. The filtration system for the Pool did not include a working flow meter.
9. Env-Ws 1105.03(d)(2) requires spa filtration systems to include a flow meter. The filtration system for the Spa did not include a working flow meter.


10. Pursuant to Env-Ws 1105.03(b)(3b), public spas shall not be operated if the suction outlet fitting is missing, broken or loose. The drain cover for the Spa was missing.

DES believes the cited deficiencies can be corrected within 30 days and requests that you submit a report within 45 days of receipt of this letter that describes the corrective measures taken. The report should include the following:

1. A copy of two weeks of water quality test results for all facilities (please do not send originals).
2. The type, manufacture, and model of the main drain cover to be installed.
3. A timetable of when:
 - a. the safety items will be in place;
 - b. the depth will be marked;
 - c. the installation or repair of the flow meters will be completed.

DES personnel will conduct another inspection at a later date to determine whether you have come into, and are maintaining, full compliance with RSA 485-A:26 and Env-Ws 1101-1105. In the event that compliance is not achieved, DES may take further action, including seeking an administrative fine up to \$2,000 for each offense or referring the case to the NH Attorney General's Office for judicial action.

We appreciate your cooperation in this matter. Please contact Tim Wilson at (603) 271-7108 if you have any questions regarding this letter. Copies of Env-Ws 1101-1105 are available through the DES Public Information Center at (603) 271-2975 or via the Internet at <http://www.des.state.nh.us/pools/env1100.pdf>.

Sincerely,

Jody Connor
Limnology Center Director

Certified Mail # 7000 1670 0000 0587 7361

Enclosures

cc: ✓ Gretchen R. Hamel, Legal Unit Administrator, DES
Tim Wilson, Public Bathing Facility Coordinator, DES
Kenneth Kiesman, Health Officer, Town of Conway

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